

WATER PERMIT NO. 2422-2

Name of Applicant: Hot Spring School District

Address: 1609 University Ave, Hot Springs SD 57747

Phone: 605 745-4145

Amount of Water Claimed: 0.013 cfs (6 gpm)

Total Acres: 0.92 acres

Source of Water Supply: groundwater (existing well)

Water to be used for: irrigation

County: Fall River

Type of Waste Disposal System: NA

Location: within city limits

PRIORITY Date Received: 4-7-1999

Fee: \$50.00

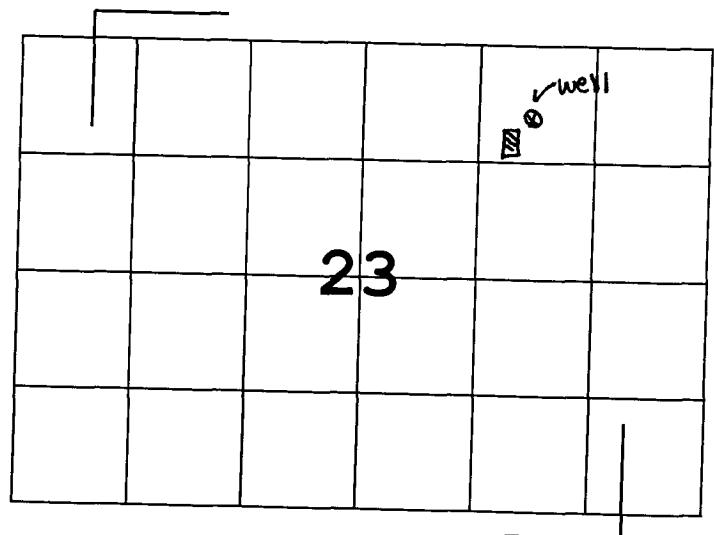
Corrected Application Received: 4-19-1999

Period of Annual Use: April 1 – October 31

Remarks: Water Right No. 2281-2 authorizes 0.075 cfs to irrigation 5.3 acres of school property.

Diversion Point: NE ¼ NE ¼ Sec 23-T7S-R5E

Land to be Irrigated: NE ¼ NE ¼ Sec 23-T7S-R5E



Depth of Well: 140 feet

Well Driller: Raby Drilling

Remarks:

Type of Map: aerial

Prepared by: Ron Siers, NRCS

Reviewed and the Number Assigned on: 4-19-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

Application for Irrigation in South Dakota
(type or print)

No. 2422-2 Hydrologic Unit 10/20/09
Basin Upper Cheyenne
Newspaper Hot Springs Star, Hot Springs, SD
(office use only)



Application For Soil/Water Compatibility Permit And Permit To Appropriate Water

Type of Application: New Vested Right X Amendment/Correction to Permit No. 2281.2
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)
Add acreage change - 92 ac to be irrigated

1. Name of Applicant Hot Springs School Dist Phone 745-4145
(check one) X Owner Tenant/lessee
Mailing Address 1609 University Ave Hot Springs State SD Zip Code 57747
(Street, RR, or Box) (City)
2. Amount of water claimed 0.013 add'l *CFS or 40 **GPM ***AF Total Acreage 92 ac add'l
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acres - storage capacity of dam/dugout if applicable $70 \times 41 = 6.22$
3. Source of water supply Well (existing)
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) (NE1/4 NE1/4)
700' W and 900' S from NE corner of 23-T75-R5E
State has well log - County Fall River
5. County or counties where water will be used Fall River
6. Annual period during which water is to be used April thru Sept. Oct. 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

(Attach sheet if more space is needed)

Land Description
<u>NE1/4 NE1/4 23-7-5</u>
<u>NE1/4 NW1/4 24-7-5</u>
<u>NE1/4 NE1/4 23-7-5</u>

Acres
<u>4.3</u>
<u>1.0</u>
<u>.92</u>

Land Description	Acres

8. Type of Irrigation: Gravity: Towline: Center Pivot: Gun: Other (Specify): Sprinkler
9. Crops to be irrigated: Grass
10. Give a description of the project. (Attach sheet if more space is needed)

Football Practice Field + Elem play ground.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach maps, soils information and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Fall River SS

I, Lyle Arneson, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Lyle Arneson
Subscribed and sworn to before me this 1 day of April 19 99

William F Lynch
Notary Public

SOUTH DAKOTA
WATER PERMIT NO. 2422-2

Date of first receipt of application April 7, 1999.

Date of return to applicant for corrections, amendments or changes April 7, 1999.

Date of receipt of corrected application April 19, 1999.

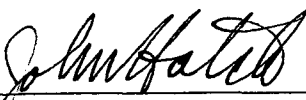
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2422-2 to Hot Springs School District, 1609 University Ave, Hot Springs SD 57747 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2422-2 appropriates 0.013 cubic feet of water per second (cfs) [6 gallons per minute] from one existing well (Minnekahta Limestone) 140 feet deep located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23 to irrigate an additional 0.92 acres located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23; all in T7S-R5E. Water Right No. 2281-2 authorizes 0.075 cfs (34 gpm) from the same well to irrigate 5.3 acres.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is April 7, 1999.
4. The date of approval of Permit No. 2422-2 is July 2, 1999.
5. One-fifth of the construction is to be completed on or before January 2, 2002.
6. All construction is to be completed on or before July 2, 2004.
7. Water is to be put to beneficial use on or before July 2, 2008.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 6 1999
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

See Well Completion Report in Permit No. 1835-2

- Drill Hole Diameter _____ Depth _____
- Casing Type _____ Diameter _____ Thickness _____
- Screen Type _____ Diameter _____ Thickness _____
- Gravel Pack Thickness _____ Length of Gravel Pack _____
- Depth to Top of Water Bearing Material _____
- Depth to Water (ground surface to water level) _____
- Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____

2. Dugout Information

- Surface Dimensions _____ Depth _____
- Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope

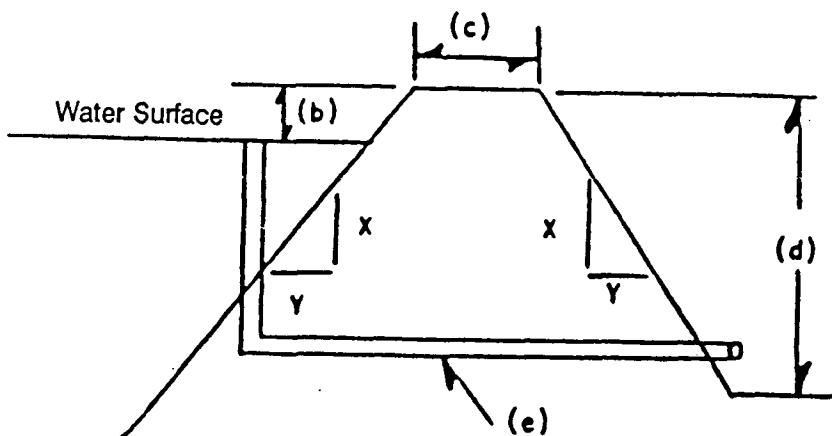
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area above Dam _____ Acres



6760

to 7" and cased with 6" PVC
and sealed 115' to 140' ft drilled
5 7/8" and 5" well screen installed
through broken limestone area

(Use Back if Necessary)

Date _____



M. A. Hand

10-12-95

Nat. Res. Engineer

1835-2/2281-2

24 22 2

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416087

Pierre, _____ April 5, 1999

RECEIVED OF Hot Springs School District 23-2, Hot Springs, SD 57747
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2422-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hatch

HOT SPRINGS PUBLIC SCHOOLS

High School Principal
745-4147
Middle School Principal
745-4146
Elementary School Principal
745-4149
Activities Director
745-4133
Alternative Class
745-6384

1609 University Avenue
HOT SPRINGS, SOUTH DAKOTA 57747-2126



Superintendent
745-4145
Business Manager
745-4145
Special Education Director
745-4149
Transportation Supervisor
745-4145
District FAX
745-4178

Preparing All Students To Succeed In A Dynamic Global Society

April 1, 1999

Water Rights Division
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181



Dear Sir:

Enclosed please find our application for an addition to the acres irrigated under our permit No. 2281-2.

On the enclosed map, the existing acreage is outlined in red, and the proposed addition is outlined in green.

The local NRCS Engineer calculated the acreage, and his signature is on the reverse side of the map.

Sincerely,

A handwritten signature in cursive script that reads "Lyle Arneson".
Lyle Arneson

WATER RIGHTS PROGRAM

SOUTH DAKOTA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Bill Lynch	Karen Schlaak
COMPANY:	DATE:
Hot Spring School District	April 7, 1999
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
605 745-4178	1
PHONE NUMBER:	SENDER'S TELEPHONE NUMBER:
605 745-4145	(605) 773-3352
RE:	SENDER'S FAX NUMBER:
license fee request	(605) 773-4068

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☒ AS YOU REQUESTED

NOTES/COMMENTS:

Thank you for submitting the *Application for a Permit to Appropriate Water* for the Hot Springs School District.

We are in receipt of the \$50 application filing fee. In addition to the application filing fee, the Water Rights Program now collects the \$50 licensing fee at the time of filing. Please submit \$50 for the licensing of the water permit.

If you have any questions, please contact me.

Karen Schlaak

Karen Schlaak

WATER RIGHTS PROGRAM
JOE FOSS BUILDING
523 E. CAPITOL AVE.
PIERRE, SD 57501

WATER PERMIT APPLICATION NO. 2422-2
HOT SPRINGS SCHOOL DIST.
MAY 25, 1999

Water Permit Application No. 2422-2 proposes to appropriate 0.013 cubic feet of water per second (cfs) [6 gallons per minute] from one existing well (Minnekahta Limestone) 140 feet deep located in the NE¼ NE¼ Section 23 to irrigate an additional 0.92 acres located in the NE¼ NE¼ Section 23, T7S-R5E. Water Right No. 2281-2 authorizes 0.75 cfs (34 gpm) from the same well to irrigate 6.22 acres.

WATER SOURCE: Minnekahta Limestone (MNKT)

The Minnekahta Limestone is a grayish-pink, laminated, limestone approximately 40 feet thick. The Minnekahta underlies an estimated 1,093,120 acres of Fall River County and contains an estimated 2,732,800 acre feet of recoverable water in storage in the county (Allen, 1984). The aquifer is areally extensive around the Black Hills and is hydraulically connected into Wyoming to the west, Nebraska to the South, Custer County to the north and Shannon County to the east. Recharge to the Minnekahta Limestone in this area occurs through direct infiltration of precipitation falling on the outcrop (less than one mile west of this well), (Walcott, 1967), and possibly from upward leakage from underlying aquifers. The average annual recharge has not been estimated for the Minnekahta Limestone in this area. The Minnekahta is confined and under artesian conditions at this site. The Well Completion Report submitted for this well identifies the top of the Minnekahta is 115 feet below grade. The well is capable of producing 100 gpm and the static water level was reported to be 66 feet below grade.

The Water Rights Program monitors four observation wells completed into the Minnekahta Limestone (Water Rights, 1999₂). The nearest Water Rights Program Observation Well completed into the Minnekahta Aquifer is located approximately seven miles northeast of this well. The observation well (CU-96A) was completed in 1996 so there is less than three years of records. However, the hydrograph for the well clearly shows the aquifer is recharged, see figure 1.

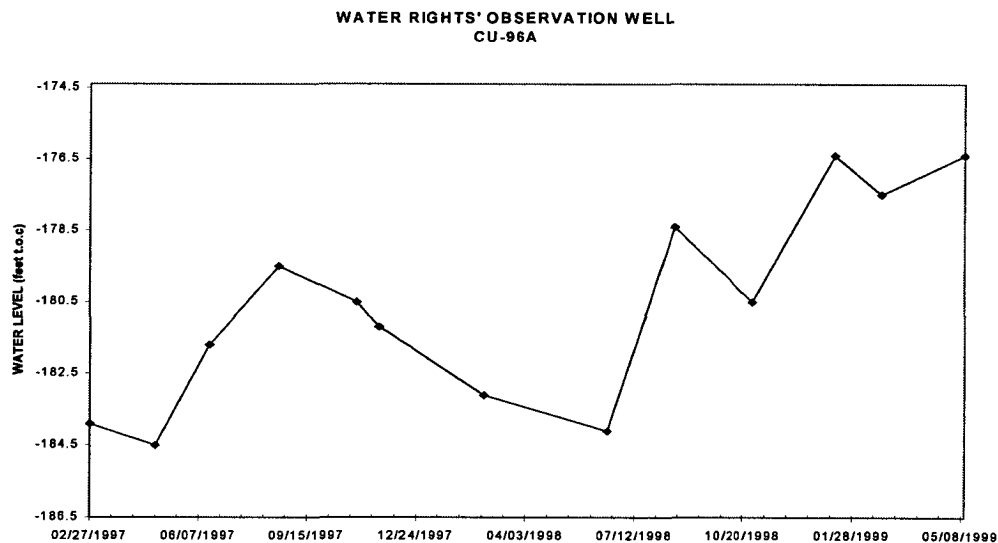


Figure 1, Minnekahta Observation Well

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The Water Rights Program has record of several domestic wells completed into the Minnekahta Limestone in this area (Water Rights, 1999₁). There are 24 Water Rights/Permits appropriating water from the Minnekahta Limestone in South Dakota (Water Rights, 1999₃). There is one existing Water Right appropriating water from the Minnekahta Limestone in Fall River County. The Water Right (No. 2190-2, Church of Jesus Christ of LDS) is

located approximately one quarter of a mile southwest of this well. The diversion rates of both appropriations are relatively small and the distance between wells is sufficient, so interference is not expected to be a concern. In addition, a 1995 Water Rights' Staff Licensing Inspection of Water Permits 1835-2 and 2281-2 indicated this well is already equipped with a 40 gpm pump. Therefore, although this is an increased appropriation from this well, the actual pumping rate and resultant drawdown will remain the same. Interference has not been a problem at this pump rate.

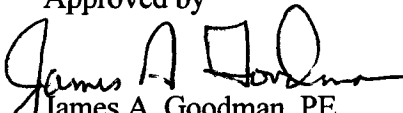
CONCLUSIONS:

1. The Minnekahta Limestone is a viable source of groundwater in this area.
2. Recharge to the Minnekahta Limestone, which is through direct infiltration of precipitation, has not been quantified.
3. There is a reasonable probability that unappropriated groundwater is available from the Minnekahta Limestone in this area.
4. This proposed appropriation should have no adverse affect on existing water rights/permits.



Ken Buhler
Natural Resources Engineer

Approved by



James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

Allen, J.C., D.Iles, A.Peters, 1984, Analysis of Ground Water and Streamflow Data Western Dakotas Region of South Dakota, Tasks 3&4: Groundwater Resources Inventory, Department of Water and Natural Resources, Division of Geological Survey, Vermillion South Dakota, 57069, U.S. Army Corps of Engineers Contract No. DAWC 45-82-C-0151

Water Rights, 1999₁, Domestic Well Logs, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights, 1999₂, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights, 1999₃, Water Permit/Right Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Wolcott, D.E., 1967, Geology of the Hot Springs Quadrangle Fall River and Custer Counties, SD, USGS Bulletin 1063-K, Washington, DC.

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2422-2, Hot Springs School District**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2422-2, Hot Springs School District, c/o Lyle Arneson, 1609 University Avenue, Hot Springs SD 57747.

The Chief Engineer is recommending APPROVAL of Application No. 2422-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
May 28, 1999



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

June 3, 1999

Hot Springs School District
%Lyle Arneson
1609 University Ave.
Hot Springs, SD 57747

Dear Mr. Arneson:

Water Permit Application No. 2422-2 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Hot Springs Star printed at Hot Springs, SD (Ph # (605) 745-4170). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

June 3, 1999

Hot Springs Star
Box 1000
Hot Springs, SD 57747-1000

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2422-2 to Appropriate Water to be published twice. Please publish the first notice on June 15, 1999, with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Hot Springs School District, %Lyle Arneson, 1609 University Ave., Hot Springs, SD 57747 (Ph # (605) 745-4145).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 2422-2

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of June 3, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 2422-2 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on June 15, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2422-2 to Appropriate Water

Notice is given that Hot Springs School District, c/o Lyle Arneson, 1609 University Ave, Hot Springs SD 57747 has filed an application for a water permit to appropriate 0.013 cubic feet of water per second (cfs) [6 gallons per minute] from one existing well (Minnekahta Limestone) 140 feet deep located in the NE ¼ NE ¼ Section 23 to irrigate an additional 0.92 acre located in the NE ¼ NE ¼ Section 23; all in T7S-R5E. Water Right No. 2281-2 authorizes 0.75 cfs (34 gpm) from the same well to irrigate 6.22 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2422-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 2, 1999.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

**PROOF OF PUBLICATION**

STATE OF SOUTH DAKOTA)
) SS
 County of Fall River)

I, Tim Franklin

certify that the attached printed Notice was
 taken

from the Hot Springs Star

printed and published in Hot Springs

County of Fall River and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 15, 1999

June 22, 1999

Cost of Printing 34.45

Tim Franklin
 (Signature)

June 22, 1999

(Date)

Publisher

(Date Signed)

171

**NOTICE OF APPLICATION NO.
 2422-2 to Appropriate Water**

Notice is given that Hot Springs School District, c/o Lyle Ameson, 1609 University Ave., Hot Springs, SD 57747 has filed an application for a water permit to appropriate 0.013 cubic feet of water per second (cfs) [6 gallons per minute] from one existing well (Minnekahta Limestone) 140 feet deep located in the NE1/4NE1/4 Section 23 to irrigate an additional 0.92 acre located in the NE1/4NE1/4 Section 23; all in T7S-R5E. Water Right No. 2281-2 authorizes 0.75 cfs (34 gpm) from the same well to irrigate 6.22 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2422-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with

SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

June 15, 22



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

AUG 6 1999

Hot Springs School District
%Lyle Arneson
1609 University Ave.
Hot Springs, SD 57747

Dear Mr. Arneson:

Enclosed is Water Permit No. 2422-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE



Date 8/9/99

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Hot Springs School District
(name)
1609 University Ave
(address)
Hot Springs S.D. 57747 745-8145
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 2422-2 states that the water use system is to be constructed by July 2, 2004, and water is to be put to beneficial use by July 2, 2008.
(date) (date)

The water use system was completed on July 3, 1999.
(date)

Applying the water to beneficial use was completed on 8/9/1999.
(date)

You may schedule an investigation so that the water license may be issued.

Lyle Arneson
(signature)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

APR 16 2002

2422-2
2281-2

Lyle Arneson
Hot Springs School District
1609 University Avenue
Hot Springs, SD 57747

Dear Mr. Arneson

Enclosed is Water License No. 2422-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416103 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2422-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Right No. 2281-2 have been incorporated into Water License No. 2422-2.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416103

Pierre, _____ April 19, 19 99

RECEIVED OF Hot Springs School District 23-2, 1809 University Ave., Hot Springs, SD 57747-2126
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2422-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hater

Permit No. 2422-2
Upper Cheyenne River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, August 28, 2001, made a thorough examination of the water use system constructed by Hot Springs School District of 1609 University Ave., Hot Springs, SD 57747 holder of Permit No. 2422-2, bearing the priority of April 7, 1999 authorizing the diversion of 0.013 (6 gpm) cu. ft. per second of the waters of groundwater (Minnekahta Limestone) for irrigation purposes, in Fall River County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

A 6 inch, 5 Hp submersible pump with 40 gpm capacity

B. Works used to transport water to place of use:

Buried pipeline

C. Works used to apply water to beneficial use:

Underground sprinkler system with 20 sprinkler heads

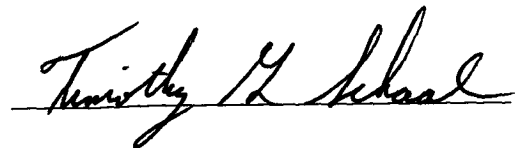
The system is in the following condition good. The point of diversion is located 700 ft. west & 900 ft. south of the NE corner of Sec. 23-T7S-R5E (NE 1/4 NE 1/4). The works are capable of diverting and conveying to the place of use 0.013 (6 gpm) cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

A new 0.92 acre practice field located in the NE 1/4 NE 1/4 of Sec. 23-T7S-R5E

comprising a total of 0.92 acres of land and the license should be issued for 0.013 (6 gpm) cfs.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: February 14, 2002



Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 2422-2

Other permit(s) associated with the project: 1835-2 & 2281-2

DATE OF INSPECTION: August 28, 2001

NAME & ADDRESS OF INSPECTION CONTACT/ Lyle Arneson

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: groundskeeper

NAME & ADDRESS OF PERMIT HOLDER: Hot Springs School District, 1609 University Ave., Hot Springs, SD 57747.

DIVERSION POINT LEGAL LOCATION: 1 well--700 ft. west & 900 ft. south of the NE corner of Sec. 23-T7S-R5E (NE 1/4 NE/14).

WELL INFORMATION:

- 1) Well Drilling Firm: Raby Drilling
- 2) No. of Wells 1
- 3) Depth(s) 140 feet
- 4) Well log is available yes (existing well see #1835-2/2281-2)

Casing:

- 1) Diameter 6 inches
- 2) Length 115 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 25 feet
- 3) Static water level 70 feet

Pump:

- 1) Make Submersible
- 2) Model No. XXX
- 3) Horsepower rating 5 hp

Motor:

- 1) Make Submersible
- 2) Model 4CM15
- 3) Size 4 inch
- 4) Capacity 40 GPM

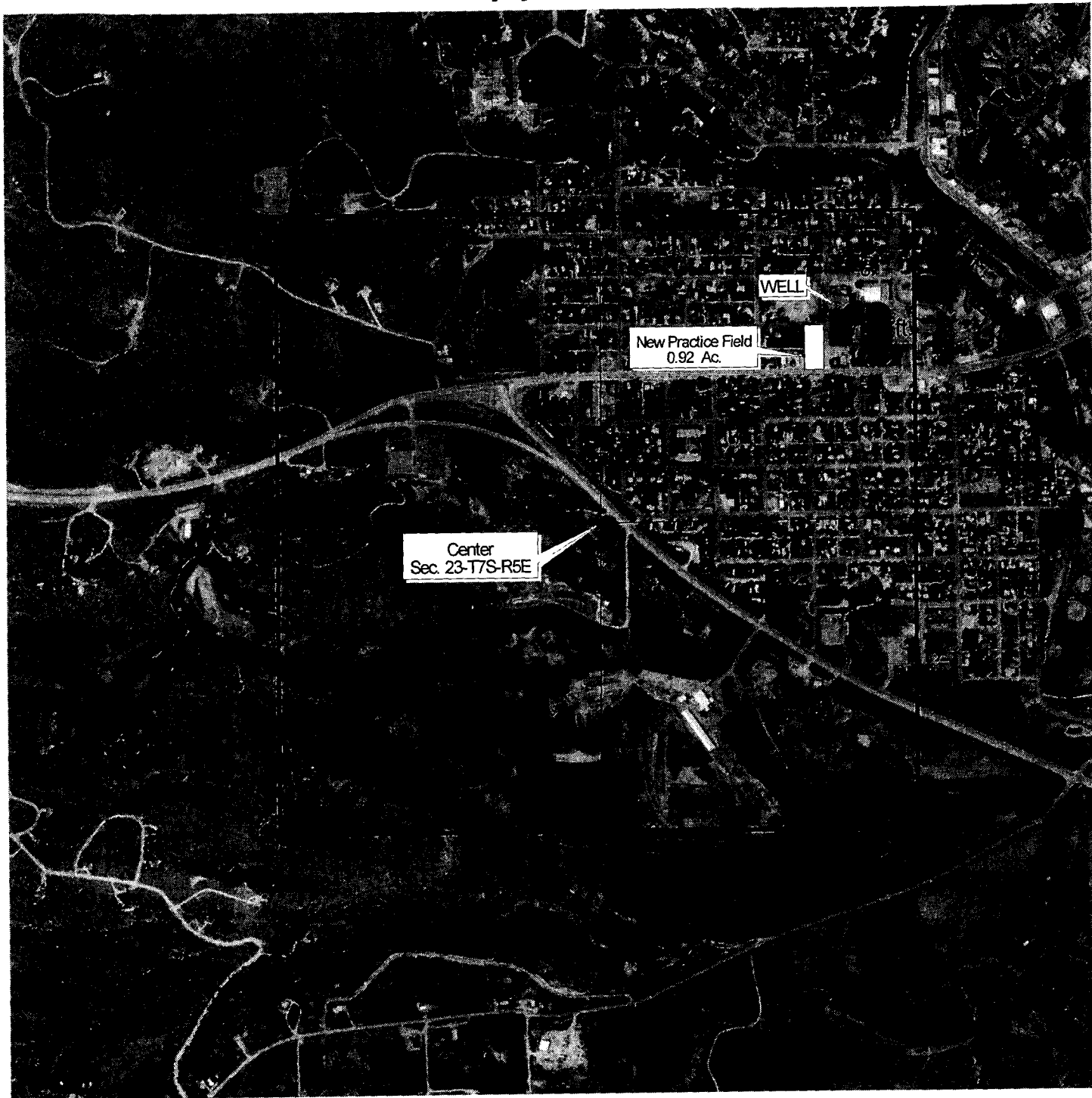
DISTRIBUTION LINES OR CANALS:

- 1) Type Buried PVC
- 2) Size 1 & 1.5 inches
- 3) Length XXX feet

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

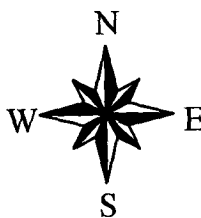
Water Permit Application No. 2422-2



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



Timothy G. Schaal
Timothy G. Schaal, P.E. 2/14/02
Natural Resources Engineer Specialist
Water Rights Program

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2422-2**

(1) The Hot Springs School District, 1609 University Avenue, Hot Springs, SD 57747 made Application No. 2422-2, April 7, 1999 for a water permit to divert 0.013 cubic feet of water per second (cfs) from ground water (one existing well – Minnekahta Limestone), Fall River County, South Dakota for irrigation purposes. Permit No. 2422-2, with a priority date of April 7, 1999 was approved July 2, 1999 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 2, 2004 and for the application to beneficial use of said water on or before July 2, 2008.

On August 10, 1999, the permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use". The "Notice" indicated the system was completed on July 3, 1999 and water placed to beneficial use on August 9, 1999.

Water Right No. 2281-2, with a priority date of February 7, 1983, authorizes diversion of 0.075 cfs from the same well to irrigate 5.3 acres. The applicable portions of Water Right No. 2281-2 are being incorporated into this water license. A priority date of February 7, 1983 will be retained for 0.075 cfs ($\approx$ 34 gpm) and a priority date of April 7, 1999 (established under No. 2422-2) will be retained for 0.013 cfs ($\approx$ 6 gpm).

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.088 cubic feet of water per second for beneficial use. The location of the diversion point is 700'W and 900'S of the NE corner of Section 23, T7S, R5E (NE $\frac{1}{4}$ NE $\frac{1}{4}$).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 23, T7S, R5E	NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.22 acres (4.30 acres – priority date – February 7, 1983) (0.92 acres – priority date – April 7, 1999)
Section 24, T7S, R5E	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.00 acre (priority date – February 7, 1983)
	Total	6.22 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Hot Springs School District, 1609 University Ave., Hot Springs, SD 57747 the holder and/or owner of Incorporated Water Right No. 2422-2 is issued a license to appropriate water, the right to use 0.088 cubic feet of water per second from ground water (one well) with priority dates of February 7, 1983 (0.075 cfs) and April 7, 1999 (0.013 cfs) from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Right No. 2422-2 and subject to South Dakota State Law.


Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 16 2002

date





2422-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2012

NOTICE

TO: HOT SPRINGS SCHOOL DISTRICT, CHUCK LEYDEN, 1609 UNIVERSITY AVE, HOT SPRINGS, SD 57747 2126

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2422-2. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2422-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 7, 2012** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2422-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 2, 2012

2422-2

Chuck Leyden
Hot Springs School District
1609 University Ave
Hot Springs SD 57747 2126

Dear Mr. Leyden:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 2422-2. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



2422-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 16, 2015

NOTICE

TO: HOT SPRINGS SCHOOL DISTRICT, 1609 UNIVERSITY AVE, HOT SPRINGS, SD 57747
2126

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2422-2. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2422-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2422-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 27, 2015

2422-2

Hot Springs School District
1609 University Ave
Hot Springs SD 57747

Dear Sir:

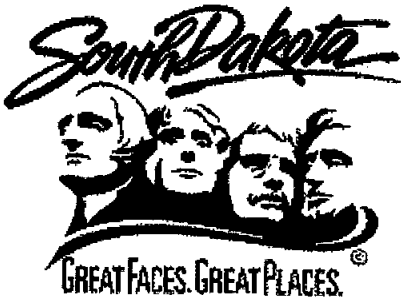
I am writing to acknowledge receipt of your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 2422-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



2422-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 15, 2016

NOTICE

TO: HOT SPRINGS SCHOOL DISTRICT, 1609 UNIVERSITY AVE, HOT SPRINGS, SD 57747
2126

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2422-2. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2422-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2422-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 2, 2016

2422-2

Hot Springs School District
1609 University Ave
Hot Springs SD 57747

Dear Sir:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 2422-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

2422-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

November 5, 2018

2422-2

Hot Springs School District
1747 Lincoln Ave
Hot Springs SD 57747-1907

Dear Sir:

Enclosed is a "Notice" dated October 30, 2018 concerning the 2018 irrigation questionnaire.

The notice was originally mailed to 1609 University Ave, Hot Springs SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

2422-2



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

November 4, 2020

2422-2

Hot Springs School District
1747 Lincoln Ave
Hot Springs SD 57747-1907

Dear Sir:

Enclosed is the 2020 irrigation questionnaire you submitted for Water Right No. 2422-2. The water right covers diversion of water from a well to irrigate the football practice field and the elementary playground.

In order for the form to be complete, the back side needs to be filled out. Please complete the form and return it to our office by December 4th.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Dennis Fischer, Hot Springs School District, 1747 Lincoln Ave, Hot Springs SD 57747

DATE: June 14, 2022 **TELEPHONE:** 605 745-4145

RE: irrigation questionnaire for 2021

COMMENTS:

The irrigation questionnaire for 2021 had water use that would be too high for irrigation of a football field. As submitted, the report reflected a total water use of 100.4 acre feet for 5 acres.

On today's date, I was able to get ahold of Mr. Fischer concerning the report. He indicated they use about 15 gpm for the football field. He stated the business manager who filled out the form in 2021 was new and didn't understand what figures were needed. He went on to say that they only pump about 8 hours each week so the most that is typically applied is 32 hours per month.

When changing the report to reflect the pump rate of 15 gpm and the maximum of 32 hours per month, the total water use calculated is 0.44 acre feet of water instead of 100.4 acre feet.



Genny McMath
Water Rights Program



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: HOT SPRINGS SCHOOL DISTRICT, 1747 LINCOLN AVE, HOT SPRINGS, SD 57747 1907

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2422-2. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2422-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2422-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: YUCKIQ**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 1, 2023

2422-2

Dennis Fischer, Superintendent
Hot Springs School District
1747 Lincoln Ave
Hot Springs SD 57747 1907

Dear Sir:

I am writing to acknowledge receipt of the 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 2422-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us